

For Immediate Release

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**Former University of Rochester Professor Pleads Guilty in Deadly DWI
Accident**

Rochester Man Leaves the Scene and Goes Home to Bed

Benjamin Smith, 43, pled guilty to Manslaughter in the Second Degree, Vehicular Manslaughter in the Second Degree, Leaving the Scene of a Fatal Accident and Operating a Motor Vehicle While Intoxicated before Hon. Victoria Argento .

The April 3, 2011 accident killed Raymond E. Arnold, 21, of Rochester.

Smith admitted to the court that he drank 9-10 beers at the Distillery on Winton Road that night of the Final Four Basketball Tournament and then ignored suggestions to take a cab home. Smith ran a stop sign and struck the SUV driven by Arnold. Arnold's vehicle flipped and pinned him underneath. Smith said he knew he struck another vehicle, but still drove his car to his house and went to bed. Police found Smith's license plate at the scene and arrested him later that day.

Smith pled guilty to the entire indictment. Judge Argento sentenced him to one year in the Monroe County Jail.

Assistant District Attorney Perry Duckles argued for a state prison sentence for Smith. He says, "The people were seeking state prison, I made that clear on the record and at the pretrial conference we had concerning this matter. But by operation of law if the defendant pleads guilty to all the charges that are laid out to the court, the judge is allowed to sentence him to what she sees fit."

Arnold's mother, Robin told the court, "My 17-year-old son looked up to his older brother. Now one of my sons is gone thanks to drinking and driving by Benjamin Smith."

Smith was also given three years of probation and waived his right to appeal.

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